

Statements allegedly made by a city councilman at a July meeting of the Scottsburg Redevelopment Commission (SRC) has resulted in a plenary complaint filed against the official for defamation of character.

Defamation of character may be caused by slander, a verbal comment, or by libel, a written comment. The lawsuit is claiming slander.

Saegesser Engineering Inc. (SEI), which is owned by city engineer Bill Saegesser, is the alleged injured party bringing the suit against City Council President Terry Amick. The document filed August 13 in Scott Circuit Court states that the firm's professional reputation and its business has been affected by Amick's statements at the SRC meeting on July 2.

Councilman Amick, who also serves on the SRC, purportedly stated during that meeting that "...he believed that SEI had misappropriated City funds through its work on the (Moonglo Trail) project and further had stolen a part of a citizen's real property utilized in the project," the lawsuit states.

When the SRC met again on August 5, its members, Council members Bill Hoagland and Karen Gricius, Councilman Amick, Kelly Neuhauser and chairman L.L. Lowry, considered the July 2 minutes for passage. The minutes and a written addition to the minutes were both approved on a 3-2 vote, Amick and Gricius voting against passage. The addition, the lawsuit states, reflects that "...Terry Amick stated he definitely believed that Saegesser Engineering is responsible for a misappropriation of funds with regard to the Moonglo Trail project; Terry Amick reiterated his belief that there had been a misappropriation of funds that had been misspent; (and) Terry Amick stated that Saegesser Engineering stole a part of...real property."

The suit goes on to claim that "...Amick's statements were made with the intent to attribute the crimes of theft and conversion..."

The statements the Council President is alleged to have made "...were known by him to be false, and were made without justification or cause, and maliciously for the purpose of disparaging SEI's professional reputation and subjecting SEI to criminal prosecution," the court

document relates. These statements ...“constitute slander...” it concludes.

SEI is requesting “...an award of judgment for general and special damages against defendant Terry Amick in amounts that will fully compensate (SEI) for its losses, together with a grant of all other just and proper relief...”

At the City Council’s meeting on August 3, Amick denied having made such statements.

Basic criteria for filing a lawsuit for slander or libel includes that the statement(s) is/are demonstrably and objectively false; that it/they was/were heard by a public third party; that it/they is/are quantifiably injurious; and that it/they is/are not unprivileged or protected by law.

Councilman Amick and Councilman Tom Lewis are currently conducting an investigation by themselves into funds received by the engineering firm over a number of years. Councilman Hoagland urged them at the August 3 council meeting and at other public meetings that professionals should be hired to conduct the study.